

VZCZCXR08581
PP RUEHDE RUEHROV RUEHTRO
DE RUEHNR #0270/01 0421419
ZNR UUUUU ZZH
P 111419Z FEB 09
FM AMEMBASSY NAIROBI
TO RUEHC/SECSTATE WASHDC PRIORITY 8459
INFO RUCNSOM/SOMALIA COLLECTIVE

UNCLAS SECTION 01 OF 02 NAIROBI 000270

SENSITIVE

SIPDIS

DEPT FOR AF/E
ALSO FOR IO/RHS - Amy Ostermeier and Gayatri Patel
DRL/MLGA - Chris Sibilla
IO/PSC - Deborah Odell

E.O. 12958: N/A

TAGS: PHUM PREL SO

SUBJECT: SOMALIA - UN FIELD COVERAGE OF HUMAN RIGHTS

REF: State 2023

¶11. (U) SUMMARY. This cable is in response to reftel request for information on the efficacy of the field offices of the UN High Commissioner for Human Rights (OHCHR). As noted in reftel, OHCHR maintains involvement in Somalia through human rights advisors to the United Political Office for Somalia (UNPOS) and the UN Country Team. At present, there is no country office located in Somalia. After a gap of several months, the UNPOS human rights unit is now led by a senior-level human rights advisor and should have a total staff of four by the end of March. Its work is hampered by insecurity and complete lack of access into the country. Despite this limitation, the unit is engaging with the Transitional Federal Government (TFG) and the committees central to the Djibouti process, reinforcing the importance of the respect for human rights in all of the transitional security, justice, and democratic issues the new unity government is now facing. End Summary.

Structure and Activities

¶12. (SBU) As noted in reftel, between 2006 to 2007, OHCHR maintained involvement in Somalia through human rights advisors to the United Nations Political Office for Somalia (UNPOS) and the UN Country Team. From January to May 2008, there were no advisors acting in this capacity. In May 2008, an OHCHR officer was once again deployed to UNPOS, in a position that had been moved from the OHCHR Burundi office. In November 2008, Sandra Beidas, a senior human rights officer began with UNPOS, deployed by the UN Department of Political Affairs (DPA). The unit expects to gain another mid-level position, funded through DPA, and a locally-engaged administrative assistant. Beidas expects the unit to be fully staffed with four persons by March.

¶13. (SBU) Although the UNPOS human rights unit is just becoming operational, the officers have provided useful technical assistance. For example, the unit supported the Joint Security Committee (JSC), established through the Djibouti peace process, during a team-building workshop in South Africa. During the workshop, the OHCHR officer presented human rights awareness activities and addressed the issues of impunity and accountability for security forces. The officer also introduced relevant aspects of international criminal law.

¶14. (SBU) During the November 2008 meeting of the High Level Committee (HLC) established through the Djibouti process, the human rights unit organized a two-day workshop with experts from Geneva to address transitional justice issues. The unit is committed to helping the HLC work with civil society to develop a framework for accountability, exploring how a UN task force or a commission of inquiry might work. They established a working group with civil society mandated to prepare a major conference in 2009 on transitional justice in Somalia.

Challenges

15. (SBU) The high level of insecurity in Somalia makes it practically impossible for members of the human rights unit to regularly travel in country. The unit would like to strengthen its ability to monitor and report on human rights, yet it is constrained by the travel restrictions. Instead, Beidas told us information is collected from other sources, "second hand and by remote control" while the human rights unit is still in the process of building networks with field-based NGO partners. However, the sensitivity of the information sought and the lack of funds for supporting human rights monitoring make it difficult to recruit partners. This is exacerbated by direct targeting of human rights defenders, especially in South-Central Somalia.

16. (SBU) Another challenge is the difficulty in establishing credibility of sources because of no on-the-ground presence. Beidas cited an example of reports where clan disputes were being presented as human rights violations. She told us that in Somalia, there are no clear opposing sides so it is even more challenging to identify perpetrators of human rights violations.

17. (SBU) An additional administrative challenge is that through 2007, the human rights advisor deployed to UNPOS and the advisor deployed to the UN Country Team were not coordinated. Each had a separate chain of command, and they rarely interacted. In 2008, an effort was made to have all staff report through UNPOS. However, we understand that there remains a political and administrative disconnect between OHCHR and UNPOS and a dual reporting line to the UN Special Representative for Somalia and to the OHCHR headquarters. Beidas told us that with a full staff, the unit will liaise more

NAIROBI 00000270 002 OF 002

regularly with the UN Country Team.

Relationship with the TFG

18. (SBU) The relationship between the Transitional Federal Government (TFG) and UNPOS is extremely strong. However, when we asked TFG officials specifically about the human rights unit, most were unaware of it and could not cite any instances of collaboration. With the election of a new president in January and the appointment of a prime minister and cabinet, the unit has an opportunity to reach out and develop more productive relationships with the government. The director plans to do this by accompanying assessment missions into Somalia and working with UN offices on the ground in the country to engage with judicial, parliamentary, and local authorities. With additional resources, the human rights unit would like to establish a Mogadishu-based field office with human rights monitoring and institution-building capacity.
Was this report useful? Send comments and questions to SomaliaWatchers@state.sgov.gov.

RANNEBERGER